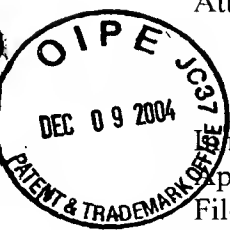


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Inventor: Gary Mitchell et al;
 Application No.: 09/998,026
 Filed: November 30, 2001
 For: TRICEPS EXTENSION MACHINE

Group Art Unit: 3764
 Confirmation No.: 6808
 Examiner: Victor Kenny Hwang

Date: December 7, 2004

MAIL STOP AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an AMENDMENT in the above-identified patent application.

- ☐ Applicant claims small entity status. See 37 CFR §1.27.
☒ No additional fee is required.
☐ The fee has been calculated as shown below:

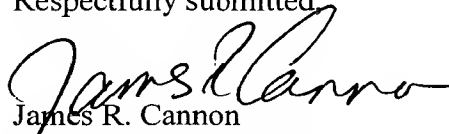
(COL. 1)		(COL. 2)	(COL. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	RATE	ADDIT. FEE	OR RATE	ADDIT. FEE
Total	- 42	42	= 0	x 09=	\$	x 18=	\$
Indep	-5	5	= 0	x 44=	\$	x 88=	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+150=	\$	+300=	\$
				Total Add. Fee	\$	OR Total	\$ 0

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

Attorney Docket No.: 9289-4
Application No.: 09/998,026
Filed: November 30, 2001
Page 2

- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$ ____ for ____.
- ☐ A check in the amount \$ _____ to cover _____ is enclosed.
- ☒ The Commissioner is hereby authorized to charge the appropriate fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.

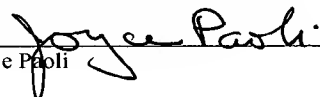
Respectfully submitted,


James R. Cannon
Registration No. 35,839

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Facsimile (919) 854-1401

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on December 7, 2004.


Joyce Paoli

Attorney's Docket No: 9289-4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gary Mitchell et al.
Serial No.: 09/998,026
Filed: November 30, 2001
For: TRICEPS EXTENSION MACHINE

Group No.: 3764
Examiner: V.K. Hwang
Date: December 7, 2004

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**AMENDMENT AND RESPONSE TO OFFICE ACTION
DATED 4 OCTOBER 2004**

Sir:

The present Amendment is provided in response to the Office Action mailed October 4, 2004 (the "Action"). It is respectfully requested that this application be reconsidered in view of the following remarks.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Amendments to the Specification begin at page 2 below.

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 6 below.

Remarks begin on page 14 below.